



Attorney Docket No.: P10991-US2

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November 3, 2004

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Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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Date: November 3, 2004Pamela S. Newton
Pamela S. Newton

Re: Patent Application for:
"SPEECH CODING WITH COMFORT NOISE VARIABILITY FEATURE FOR
INCREASED FIDELITY"
Serial No. 09/391,768
Attorney Docket No. P10991-US2

Dear Sir:

Enclosed for filing please find the following items relating to the above-identified application:

- (1) Request for Continued Examination (RCE) Transmittal - in duplicate (2 pages); and
- (2) Petition for Extension of Time - in duplicate (2 pages).

If you have any questions or comments concerning this matter, please feel free to contact the undersigned at 972/583-1572.

Sincerely,

Steven W. Smith
Reg. No. 36,684

SWS/psn

NOV 03 2004

PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 051-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Request
for
Continued Examination (RCE)
TransmittalAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/391,768
Filing Date	September 8, 1999
First Named Inventor	Ingemar Johansson, et al.
Art Unit	2654
Examiner Name	Armstrong, Angela A
Attorney Docket Number	P10991-US2

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

- b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 50-1379 I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Steven W. Smith</i>	Date	11-3-2004
Name (Print/Type)	Steven W. Smith	Registration No.	35,684

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Signature	<i>Pamela S. Newton</i>	Date	November 3, 2004
Name (Print/Type)	Pamela S. Newton		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO in process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/GB/30 (09-04)

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- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
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- iii. ☐ Information Disclosure Statement (IDS)
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- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(p) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____

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